



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

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April 2, 2009

The Honorable Mike Flood  
Speaker of the Legislature  
State Capitol, Room 2103  
Lincoln, NE 68509

Dear Speaker Flood and Members of the Legislature:

I am writing today to provide you an update on plans to resolve ongoing developmentally disabled issues and to strengthen the Beatrice State Developmental Center (BSDC).

The attached document discusses the need for expanded community-based services and BSDC's future. I want to thank the members of the Health and Human Services Committee and the Developmental Disabilities Special Investigative Committee for their input and review. I appreciate their thoughts and concerns, and their attention to this issue.

As we move forward, I want to emphasize my commitment that BSDC should remain open. The Beatrice State Developmental Center is part of the array of services that are needed for individuals with developmental disabilities.

In February, Claire E. Mahon was appointed as interim BSDC CEO. Her previous experience included serving on special assignment as CEO of Woodbine Developmental Center in New Jersey for 15 months. During this time, she administered the decertified state ICF/DD facility serving 700 residents and employing 1,400 staff while it regained certification and restored program quality. Assisting her in leading and supporting the existing management team at BSDC include a former joint commission surveyor with experience in a broad range of health care settings, an individual with extensive experience as a regulatory remediate specialist, a MD expert in remediation relating to DOJ and CMS, and a legal counsel with experience as a chief executive in an Illinois state operated facility serving as a liaison to the interim management team.

Additionally, BSDC has expanded its medical staff. Two speech pathologists are scheduled to begin work in mid April. Four doctors have been added to the professional staff. One licensed physician and one neurologist have accepted permanent employment at BSDC. The licensed physician will also serve as the interim medical director. Two other doctors are working as contractors. In addition to these individuals BSDC has hired 37 new employees, including 24 developmental technicians II and 4 licensed practical nurses, since the first of the year.

The Honorable Mike Flood

April 2, 2009

Page -2-

As you know, forty-seven people with developmental disabilities deemed "medically fragile" have been removed from BSDC. As of today, eleven individuals have been placed in community-based services, five have been placed permanently in skilled nursing facilities, four have been placed in temporary skilled nursing facilities, one has been placed in a temporary DD facility, one individual has returned to BSDC, two passed away, and twenty-three remain in a hospital.

In order to determine the future size of BSDC, an individual assessment of each person with a developmental disability is being conducted to determine the appropriate needs and proper placement level for each resident. The best estimate today is that 90 - 120 residents will require the specialized services currently provided at BSDC.

The Division of Developmental Disabilities is also working to expand community-based services. Mosaic has agreed to expand its capacity by 66 by opening six six-bed Intermediate Care Facilities for the Mentally Retarded (ICF-MR) and five six-bed Centers for Developmental Disabilities (CDD) in the next 30 months. Four of these facilities will be operational by April of 2010. All eleven facilities will be operational by October of 2011.

Each facility will provide a minimum of 8 hours of medical support services, with some having 24 hour nursing staff. Services will be developed in the Omaha metro area, York, Grand Island, and Columbus/Norfolk.

The Division of Developmental Disabilities has asked ENCOR to expand its capacity by six by opening an additional Medical Service Unit in the Omaha metro area. Contract negotiations for this unit should be completed within a month.

More work needs to be done but I am hopeful that the future for individuals with developmental disabilities in Nebraska will be a significantly expanded community provider base of services and a significantly improved and certified BSDC. Care and habilitation for individuals with developmentally disabilities will be provided in the most integrated setting possible.

Finally, I want to thank the members of the Appropriations Committee for recognizing the additional funding that will be necessary for BSDC. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Dave Heineman". The signature is written in a cursive, flowing style.

Dave Heineman  
Governor

Enclosure